

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALPHONZO LEON WRIGHT

Petitioner,

Civil Action No.
07-CV-10469

vs.

DARRELL STEWART

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Respondent.

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S
APRIL 19, 2010, REPORT AND RECOMMENDATION, DENYING A CERTIFICATE
OF APPEALABILITY, and DENYING AS MOOT PETITIONER'S MOTION FOR
LEAVE TO APPEAL IN FORMA PAUPERIS**

On September 28, 2009, Magistrate Judge Paul J. Komives issued a Report and Recommendation ("R&R") in which he recommended that Petitioner's Application for Writ of Habeas Corpus be denied. On December 15, 2009, the Court accepted and adopted Magistrate Judge Komives' R&R and denied Petitioner's request for habeas relief.

Now before the Court is the April 19, 2010, R&R of Magistrate Judge Komives in which he recommends that Petitioner be denied a certificate of appealability. Petitioner has filed timely objections to the R&R. The Court reviews *de novo* those portions of the R&R to which a specific objection has been made. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Having done so, the Court concludes, over Petitioner's objections, that Magistrate Judge Komives has reached the proper conclusions for the proper reasons. Accordingly,

IT IS ORDERED that Petitioner is denied a certificate of appealability.

IT IS FURTHER ORDERED that Petitioner's motion for leave to appeal *in forma pauperis* is denied as moot.

Dated:
Detroit, Michigan

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE